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TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS

PROJECT NAME: APPLE RIDGE MAJOR SUBDIVISION (CLUSTER PROPOSAL)
(RESUBDIVISION OF LANDS OF MINARD)
PROJECT LOCATION: SHAW ROAD
SECTION 55 – BLOCK 1 – LOTS 43.2 & 44
PROJECT NUMBER: 08-16 (Formerly 06-24)
DATE: 29 OCTOBER 2008
DESCRIPTION: THE APPLICATION PROPOSES THE SUBDIVISION OF THE TOTAL 197+ ACRES INTO 109 CLUSTERED SINGLE-FAMILY RESIDENTIAL LOTS. THE CONVENTIONAL SUBDIVISION PLAN (As application 06-24) WAS PREVIOUSLY REVIEWED AT THE 28 JUNE 2006, 25 OCTOBER 2006, 28 MARCH 2007, 12 SEPTEMBER 2007 AND 14 NOVEMBER 2007 PLANNING BOARD MEETINGS.

1. The property is located in the R-1 zoning district of the Town. The application was previously presented as a conventional major subdivision (45-49 lots), had a public hearing in September 2007 and received Preliminary Approval on 11-14-07. The Board also adopted a "neg dec" on 11-14-07 for the subdivision as previously presented.

The applicant has now submitted a "Yield Plan" which depicts a new subdivision layout with 107 lots. This plan is new to the Board and was not previously considered as part to the prior reviews which led to the Preliminary Approval. We have also received a "Cluster Development" plan, also with 107 lots.

The Board should note that both plans propose a public water and sanitary system, presumably for dedication to the Town.

2. Section 278 of the Town Laws permits consideration of Cluster Development. It is my understanding that Legislative action from the Town Board would also be necessary. The Board should discuss the legal and procedural aspects with the Attorney for the Planning Board.

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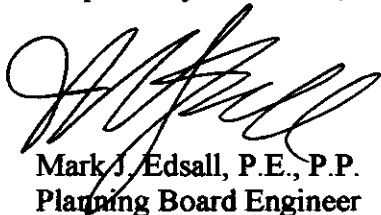
3. As part of the cluster process, the applicant must demonstrate a viable conventional subdivision as a basis for the lot count of the cluster development. As per my request, the applicant has included a full zoning table to demonstrate bulk values for each of the conventional lots, and has also provided profiles for the conventional layout roadways. My comments regarding the conventional layout plans are as follows:
- The top of each bulk table should include the minimum “required” values for reference.
 - Lots 7 & 8 would appear inaccessible based on the pond location.
 - Net area value for lot #1 should be corrected.
 - The out parcel noted as n/f Messler, should be provided with appropriate frontage to make such lot conforming.
 - It would appear that lot #21 has constrained area and a value should be indicated, with the net area value adjusted.
 - Numerous lots appear to have questionable lot width. Lot width dimensions are noted as + or - on the table; if it happens to be - (less) they may not comply. Given the scale of the plans (1" = 200'), it is not possible to determine if these lots are legitimate lots. Unless the applicant can adequately demonstrate that all lots clearly exceed the minimum lot width, perhaps a couple lots should be eliminated. Lots in question are 8-10; 12-19; 22; 25; 53; 69; 76-80; 104.
 - The profiles reference “Road A”, etc.; however these are not identified on the plan. Please add.
 - Road profiles indicate that roadways with slopes in compliance with Town standards can be constructed in support of the conventional layout.
 - The Board should note that I have not considered stormwater compliance as part of this conventional “as of right” plan review given the clear indication that the applicant plans on pursuing the cluster layout. If the board has any objection to the same, please advise.
4. As part of the revised project submittal, the applicant has submitted an updated Full EAF. I suggest they prepare a revised application given the increased lot count and request for cluster consideration. As noted from the above project number assignment, for convenience, a new file has been started as part of this change.

5. We have also received a concept plan for the cluster development. I have reviewed this very conceptually. Our comments regarding the cluster layout plan are as follows:

- The final number of lots considered for the cluster should be based on the number of lots deemed "viable" by the Planning Board for the conventional plan.
- Ownership of the Open Space lands is a critical issue that must be discussed.
- Are any shared amenities proposed for the subdivision ? If yes, we will need to determine the mechanism for ownership and maintenance.
- If the water system and wastewater disposal systems are proposed for dedication to the Town, concurrence from the Town Board should be sought at the same time the applicant seeks Town Board approval of the cluster.
- The out parcel noted as n/f Messler, should be provided with appropriate frontage to make such lot conforming.
- We suggest that the Board consider advising the applicant to consider a dense planting within the buffer area along Shaw Road.
- Please verify that the locations of the two curb cuts to Shaw Road for the project roadways are at the same location as the access points of the conventional subdivision that received Preliminary Approval (as was reviewed by the Highway Superintendent).
- The applicant will be required to develop a SWPPP for the major (cluster) subdivision. Such SWPPP may impact the layout as currently proposed.
- Wetlands delineation will be subject to certification/ acceptance from NYSDEC.
- ACOE jurisdictional determination will be required.

6. The above reviews are very conceptual in nature. Additional reviews will be needed once the "direction" of the application is determined by the Board.

Respectfully Submitted,



Mark J. Edsall, P.E., P.P.
Planning Board Engineer